

Dec. 08

Senate Energy and Telecommunications

Draft Rules of Procedure - 2009

Senate Energy & Telecomm. Comm.
Exhibit No. 3

Date 1/8/2009

Bill No. Organizational Mtg

I. Public Hearings on Proposed Legislation

A. Hearing Process

1. At the time set for hearing, the Chair will recognize the sponsor of the bill who will open the presentation.
2. Proponents of the bill will present testimony.
3. Opponents of the bill will present testimony.
4. Informational witnesses will present testimony.
5. Questions will then be asked by committee members only.
All questions will be directed through the Chair.
6. All discussion will begin and end at the discretion of the Chair.
7. The sponsor of the bill will close the presentation.

B. Witnesses

1. All witnesses shall sign the witness sheet before presenting testimony.
2. Proponents and opponents should try to state new points of testimony only. If they wish to agree with points already made, they should simply say that they agree.
3. Witnesses presenting testimony before the committee should remain in the room until the hearing is closed to answer any questions from committee members.
4. Written copies of the testimony also may be submitted for the permanent committee record.

C. General

1. Everyone will act and be treated in a courteous manner.
2. The committee chair shall maintain order within the committee room and the environs during all committee meetings.
3. Suggested amendments to bills should be presented to the committee in writing.
4. Cell phones and all PDA's must be turned off in the hearing room except in cases of urgency.
5. Testimony requiring the use of video, audio, or other equipment will be permitted at the discretion of the Chair, if arrangements are made in advance.
6. Committee meetings will be broadcast live via the internet and streaming audio. Most meetings also are televised.

II. Executive Session

- A. Generally, executive session will not be held the same day as the public hearing on the bill.
- B. Although executive sessions are open to the public, no comments may be made by anyone but committee members. Members of the public may be asked questions by committee members at the discretion of the Chair.

C. Voting

1. Absentee voting by committee members is permitted through the use of a standard form through the vice chair or minority vice chair. Authorization for proxy voting must be reflected in the committee minutes. If the committee approves proxy voting, Senator ??? will hold the forms for the Democrats and Senator ??? will hold the forms for the Republicans.
2. Proxy votes, however, are discouraged and meeting attendance is requested.

3. Pairs in standing committee are prohibited. (S30-100)

D. Motions

1. Motions by committee members do not require a second.
2. The motion to "indefinitely postpone" will not be recognized by the chair -- the proper motion is to move to "table" the bill.
3. The committee should avoid sending an adverse committee report to the floor. Rather than a "Do Not Pass" recommendation it is more appropriate to move to "Table" the bill in committee. This helps to address work load concerns of the entire Senate and is a courtesy to the sponsor of the bill.

III. Amendments

- A. Amendments to be presented to the committee for consideration during executive session must be requested by a committee member or the sponsor of the bill.
- B. Committee members are the only legislators who can move amendments to a bill while the bill is in committee.
- C. All amendments must be submitted in writing to the staff researcher by noon of the day prior to executive action on a bill. A simple amendment may be considered on shorter notice at the discretion of the chair. For example, a change in a date or number could be a simple amendment. Amendments may be requested in writing, e-mail, via a phone call, or personally. Staff will not write amendments for bills outside of this procedure.
- D. The only time that conceptual amendments may be considered by the chair is in the event the hearing on the bill and executive action are taken on the same day. Conceptual amendments should be avoided to prevent confusion in drafting.
- E. Pursuant to Article V. Section 11 of the Montana Constitution, amendments must be within the title of the bill.